

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

B. GARY DAY,

Plaintiff,

vs.

WALTER EDWARD FRENCH, III,
CHRISTOPHER B. FRENCH, et al.,

Defendants.

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3:06 CV-260MHT

JOINT STIPULATION FOR ENTRY OF STAY

COMES NOW, Plaintiff B. Gary Day, and Defendants Walter Edward French, Christopher B. French, Jerome Short, and John Flory, in the above-styled cause, by and through counsel of record, and stipulate and agree that Defendants' Motion for Stay and/or Protective Order on Discovery heretofore filed by Defendants Walter Edward French, Christopher B. French and Jerome Short is due to be granted. The parties respectfully request that the Court enter the stay on the following terms:

1. The parties request that a stay be entered as to all aspects of this action, including trial and discovery, and that the stay be applicable to all parties and all claims relevant to this action. That the action remain stayed pending the resolution of all parallel criminal proceedings pending in the Circuit Court of Russell County, Alabama;
2. The Court vacate its previously entered scheduling order;
3. The stay may be lifted upon motion by any party, but only upon the resolution of all parallel criminal proceedings, and/or the removal of any threat of initiation of

criminal proceedings against the above-stated Defendants arising from the occurrence made the basis of the Plaintiff's claims;

4. Upon removal of the stay, the parties shall submit a revised Rule 26(f) report and request that the Court enter a new Rule 16 scheduling order based upon that submission;

Respectfully submitted this the 26th day of May, 2006.

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B. FRENCH and JEROME SHORT:

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